

In the Drawings:

Applicant proposes to amend the drawings as indicated in red on the attached sheets to add the word "Prior Art" to Figs. 1 and 2. With the Examiner's approval, please substitute the additional attached drawings that have the changes shown in red entered for the drawings originally filed.

### **REMARKS**

With claims 1-49 originally pending, with this amendment claims 17-25, 32-42 and 47-49 have been cancelled, and claims 50-53 have been added. Further, claims 1, 43 and 46 have been amended as indicated in detail below.

#### **Restriction/Election Requirement**

The Office Action restricts the present application to the following inventions under 35 U.S.C. § 121 as follows:

- Group I: Claims 1-16, 26-31 and 36-49, drawn to a probe assembly for testing a device, classified in class 324, subclass 754.
- Group II: Claims 17-25, drawn to a probe card assembly for testing a device classified in class 324, subclass 761.
- Group III: Claims 32-35, drawn to a probe card assembly for testing a wafer, classified in class 324, subclass 755.

The Office Action further states that during a telephone conversation with the undersigned on January 11, 2005, an election was made of Group I. The Office Action requires affirmation of this election. Election of Group I, claims 1-16, 26-31 and 36-49, is hereby affirmed without traverse. Accordingly the claims of groups II and III, claims 17-25 and 32-35, have been cancelled.

#### **Objection to Drawings**

The drawings are objected to for not including the label "Prior Art" in Figs. 1 and 2. With this response, the drawings have been amended to add the label "Prior Art" to Figs. 1 and 2. Accordingly, Applicants respectfully request that the objections to the drawings be withdrawn.

## Section 102 Rejections

Claim 1 stands rejected under 35 U.S.C. § 102 as being anticipated by Eldridge et al, (U.S. Patent No. 6,483,328, hereafter "Eldridge '328"). The Office Action states that Eldridge '328 discloses a probe card assembly comprising: a substrate (324) with probe contacts (336) on a first surface (bottom surface of 324); a probe card (321) electrically connected to the probe contacts (336); an electrical connection means (325) to connect the probe contacts (336) to the probe card (321); and support means (335) positioned against a second surface (top surface of 324) substantially opposite the probe contacts (336). Based on the above amendments and the following remarks, this rejection is now believed to be overcome.

Claim 1 has been amended to claim a "support means positioned against a second surface of the substrate substantially opposite said probe contacts without electrically connecting to the probe contacts..." The support means (335) identified in the Office Action from Eldridge '328 are terminals that are electrically connected to its probe contacts (336) by lines internal to substrate (324). The support means (335) of Eldridge '328, thus, make electrical contact with probe contacts in contrast with the language of claim 1. Accordingly claim 1 is now believed allowable as not anticipated under 35 U.S.C. § 102 by Eldridge '328.

Claims 1-4, 6-12 and 14-15 stand rejected under 35 U.S.C. § 102 as being anticipated by Applicants' admitted prior art (Fig. 2). Based at least on the following remarks, this rejection is believed to be overcome.

Regarding claim 1, the Office Action states that Applicants' Fig. 2 shows a probe card assembly comprising: a substrate (45) with probe contacts (16) on a first surface (bottom surface of 45); a probe card (18) electrically connecting the probe contacts (16) to the test system; electrical connection means (24, 32) to connect the probe contacts (16) to the probe card (18), and support means (50, 52, 56, 58, 59, 62, 64, 66 and 68) positioned against a second surface (top surface of 45) substantially opposite the probe contact (16).

In claim 1, the support means is claimed to be positioned "substantially opposite said probe contacts." Applicants' Fig. 2, however shows the supports identified in the Office Action

(particularly 66) that are not substantially opposite the contacts 16. Instead, the supports (66) are placed against the substrate 45 in an area near the periphery, not "substantially opposite" contacts 16. The supports (66) contact the substrate (45), they are nearly as far away as possible from the area opposite the contacts 16. Accordingly, Applicants' maintain that 1 is allowable as not anticipated under 35 U.S.C. § 102 by Applicants' Fig. 2.

Regarding claims 2-4, 6-12 and 14-15, these claims are believed allowable as not anticipated by Applicants' Fig. 2 based at least on their dependence on claim 1.

### **Section 103 Rejections**

Claims 5 and 16 stand rejected as being unpatentable over Applicants admitted prior art (Figs. 1-2) in view of Khandros et al. (U.S. Patent No. 6,690,185, hereafter "Khandros '185). The Office Action states that Applicants' Fig. 2 does not disclose an elastomer pad as in claim 5 and a second substrate attached to the first substrate as in claim 16. The Office Action, however, continues stating that Khandros '185 discloses a first substrate layer (76) and a second substrate (74), the first substrate (76) including routing lines. The Office Action further states that Khandros '185 teaches that the second substrate (74)(Abstract, line 3) comprises a second material having a lower flexural strength than the first material (see col. 9, lines 27-30). The Office Action states it would have been obvious to combine Applicants' prior art with Khandros '185 as claimed. Based on the following remarks, this rejection is now believed to be overcome.

Initially regarding claim 5, claim 5 is believed allowable over Applicants' prior art and Khandros '185 based at least on its dependence on claim 1.

Regarding claim 16, claim 16 recites "a first substrate layer having probe contacts ...; and a second substrate ... including routing lines electrically connecting the probe contacts...." The Office Action cites Fig. 2 of Khandros '185 with layer (76) having probe contacts (80) reading on Applicants' first substrate, and a second layer (74) reading on Applicants' second substrate. However, the layer (74) of Khandros '185 is not shown to include "routing lines

electrically connecting the probe contacts" as claimed in claim 16. Accordingly, claim 16 is believed allowable as nonobvious over Applicants' Fig. 2 in view of Khandros '185.

Claims 36-42 and 47-49 stand rejected under 35 U.S.C. 103 as being unpatentable over Applicants' Figs. 1-2 in view of Khandros '185. Claims 36-42 and 47-49 have been cancelled rendering this rejection moot with respect to those claims.

### **Allowable Claims**

Claims 26-31 are indicated by the Office Action as allowed.

Claims 12-13 and 43-46 are objected to as being dependent upon a rejected base claim, but are further indicated as allowable if rewritten in independent form. Claim 43 has been rewritten in independent form. Claims 44-46 are, thus, believed allowable in dependent form based on their dependency on claim 43. Claims 12-13 are further believed allowable in dependent form based on the allowability of claim 1 as discussed above.

### **Conclusion**

In light of the above amendments and remarks, claims 1-16, 26-31, 43-46 and 50-53 are now all believed to be in condition for allowance. Accordingly, reconsideration and allowance of these claims is respectfully requested.

No fee is believed due with this response. Should a fee be due, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 06-1325.

Respectfully submitted,

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